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extended along at least two of said groups of concentric wheels

C

(D)   evaluating aligned indicia at predetermined locations to determine winnings based

on preselected combinations and pay ratios; and

(E)   paying said winnings.

20

5   18.   A gaming apparatus for playing a game of chance, comprising:

separate group of   group of concentric wheels

(A)   a plurality of concentric and rotatable wheels, each having a viewable annular

each group comprising an inner concentric wheel having

surface, further comprising a first viewable surface identified as an inner most

an outer concentric wheel having

viewable surface and a second viewable surface identified as an outer most

viewable surface;

10   (B)   indicia located on each said viewable annular surface; and

extending along at least two separate groups of concentric wheels

(C)   at least one pay line defined from the inner most surface to the outermost service;

22.   The game apparatus of claim 21 wherein said wheels are displayed via a video display

device.

15

REMARKS

Interview

Applicants sincerely appreciate the courtesies extended by Examiner Benjamin Layno

during a telephone interview conducted on August 14, 2002. During the interview, Applicants'

20   attorneys presented several arguments including: (1) Inoue does not disclose a plurality of

rotatable *wheels*; (2) Inoue does not disclose a viewable annular surface; and (3) more symbols

may be displayed to a player by the use of a wheel having a viewable annular surface than a reel

because the curvature of the reel allows players to view only a small portion of its circumference.

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Examiner Layno agreed that the wheels being claimed are able to display more symbols than the

reels in Inoue.

Office Action

5   Claims 1-22 are pending in the application. In the office action:

- Claims 14-16, 19, and 20 are allowed.

- Claims 8 and 10-12 are objected to.

- Claims 1-7, 17, 18, and 21 are rejected under 35 U.S.C. 102(b) as being unpatentable

     over Inoue (U.S. Patent Number 5,395,111).

10   - Claims 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue

     and in further view of Smyth (U.K. Document Number 2117546) or Lowden (U.S. Patent

     Number 5,630,586).

- Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue and in

     further view of Okada (U.S. Patent Number 5,024,439).

15

     Applicants submit claims 1-7, 9, 13, 17, 18, 21, and 22 are patentable over Inoue, Smyth,

Lowden, and Okada for the following reasons.

35 USC § 102(b)

20   As stated by the Federal Circuit: Anticipation requires the presence in a single prior art

reference disclosure of each and every element of the claimed invention, arranged as in the

claim. *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481,

485 (Fed. Cir. 1984). Applicants submit that the Office has failed to establish a prima facie case

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of anticipation as Inoue does not disclose each and every element of claims 1, 17, 18, and 21, as

further discussed below.

Inoue does not disclose any wheels having a viewable annular surface.

5   **Claims 1, 17, 18, and 21**

Claim 1 claims: "a plurality of rotatable *wheels*, each of said wheels having a *viewable*

annular surface." Claim 17 claims: "spinning at least two groups of concentric *wheels* having

indicia on a *viewable annular surface*..." Claim 18 claims: "a plurality of concentric and

rotatable *wheels*, each having a *viewable annular surface.*" Claim 21 claims: "a plurality of

10   rotatable *wheels* comprising a first *wheel* and a second *wheel*, each having a *viewable annular*

surface."

As best seen from figure 2 of Inoue, Inoue discloses reels having symbols displayed on

the circumference of each reel. The number of symbols that can be positioned on the

circumference of each reel is limited by the curvature of the reel. Additionally, only a portion of

15   the circumference of each reel is positioned in front of a player, as best seen from figure 1 of

Inoue, and thus, the player does not see all of the symbols.

In contrast, claims 1, 17, 18, and 21 claim wheels having a viewable annular surface.

The face of a wheel is able to display more symbols than the circumference of a reel.

Additionally, the face of the wheel or the viewable annular surface allows a player to see

20   substantially all the symbols at once. Therefore, Inoue does not anticipate the claimed wheel

having a viewable annular surface. Withdrawal of the 35 USC 102(b) rejection on claims 1, 17,

18, and 21 is respectfully requested.

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CLAIM 2-7, 9, and 13

Dependent claims 2-7, 9, and 13 which depend, directly or indirectly, from independent

claim 1 and incorporate all the limitations of claim 1, also include additional limitations that are

not shown or suggested by the prior art. Therefore, claims 2-7, 9, and 13 patentably distinguish

5   over Inoue. Withdrawal of the 35 USC 102(b) rejection on claims 2-7, 9, and 13 is respectfully

requested.

Inoue does not disclose a plurality of wheels comprising an inner most viewable surface

and an outermost viewable surface being claimed in claim 18.

10   As discussed above, Inoue discloses reels, but not wheels having viewable annular

surfaces. Additionally, Inoue discloses reels positioned side by side as best shown in figure 2 of

Inoue. The placement of symbols in Inoue being on the circumference of the reels and the

vertical arrangement of the reels relative to each other do not allow for the reels to have multiple

viewable surfaces. Inoue just has one viewable surface, which is the circumference of the reel

15   presented in front of the player. Therefore, Inoue does not anticipate each and every element of

claim 18. Withdrawal of the 35 USC 102(b) rejection on claim 18 is respectfully requested.

35 USC § 103(a)

"To establish prima facie obviousness of a claimed invention, all the claim limitations

20   must be taught or suggested by the prior art." *In re Royka,* 490 F.2d 981, MPEP §2143.03.

Applicant submits that prima facie obviousness has not been established for claims 9, 13, and 22

because the combination of Inoue, Smyth, Lowden, and Okada do not teach or suggest all the

claim limitations.

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Claims 9 and 13 are dependent on claim 1, which, as described above, have limitations

not disclosed in Inoue. The office stated that the patents to Smyth and Lowden both teach that it

is known in the slot machine to mount the rotatable wheels on a table. However, as described

above, Inoue does not disclose a wheel having a viewable annular surface, as described above.

5   Smyth and Lowden also do not disclose said wheel. Thus, even if Smyth and Lowden were

combined with Inoue, Inoue and Okada still do not disclose a wheel having a viewable annular

surface, which is claimed in claims 9 and 13 by incorporation of claim 1.

Claim 22 is dependent on claim 21, which, as described above, have limitations not

disclosed in Inoue. The office stated Okada teaches that it is known in the slot machine art to

10   alternately electronically display simulated rotating wheels on a video display. Thus, even if

Okada were combined with Inoue, Inoue and Okada still do not disclose a wheel having a

viewable annular surface, as described above.

In sum, even if Inoue, Smyth, Lowden, and Okada were combined in the manner

suggested by the Office, the combination would fail to provide all of the elements of claims 9,

15   13, and 22. Withdrawal of the 35 USC 103(a) rejection of claims 9, 13, and 22 is respectfully

requested.

The amendments to the claims and specification above have not been made to overcome

the rejections. The amendments were made to remove typographical errors and to provide

clarity. The applicants believe that the original claims are patentable over the cited reference.

20

CONCLUSION

For all of the above reasons, the applicant submits that the present application is in

condition for allowance. If the examiner has any questions regarding the application or this
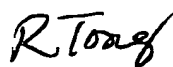
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response, the examiner is encouraged to call the applicant's attorney, Rolando J. Tong, at (775)

826-6160.

5

                                                          Respectfully submitted,

R Tong

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                                               Rolando J. Tong, Attorney for Applicant(s)
                                               Registration Number: 47,140

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<u>VERSION WITH MARKINGS SHOWING CHANGES MADE</u>

The following amendments to the specification are requested:

5   In the "Cross Reference To Related Applications" Section

This application claims priority of and incorporates by reference U.S. provisional patent application number 60/174,988, filed on January 7, 2000. <u>This application is also a continuation-in-part application of U.S. application number 09/638, 866, filed August 14, 2000, which is a continuation application of U.S. patent application serial number 09/212,108, filed December 15,</u>

10   <u>1998, now U.S. patent number 6,105,962. This application is further a continuation-in-part application of U.S. patent application number 09/527,705, filed March 17, 2000, which claims the benefit and priority of U.S. provisional application number 60/126,052, filed March 23, 1999.</u>

15   On page 4, lines 3-7

One of the disadvantages of spinning reel gaming devices is that they only allow a player to see a small number of game symbols on the reels. Because of the physical curvature of a reel, it is generally only possible [for a] <u>to</u> view [of the] symbols [of] on a reel [to be] <u>that are</u> within a players view. This is not the case with wheels. Wheels may have annular surfaces around the

20   entire circumference of a wheel. Therefore, wheels [c]<u>m</u>ay display a greater number of symbols than reels.

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On page 12, lines 3-21

Now referring to Figure 3, various symbols or indicia 19, which together can form

various winning combinations, are provided at spaced-apart radial positions on the visible

5   annular surfaces of each wheel 242, 244, 246, 262, 264, 266, 282, 284, and 286. A plurality of

wager locations 290, 292, 294, 300, 302, 304 and 320 corresponding to various pay lines are

positioned on the playing surface 228 proximal to the wheel groups 240, 260, and 280, wherein

wager locations 290, 292 and 294 are single group wagers; wager locations 300, 302 and 304 are

double group wagers; and wager location 320 is a triple group wager. More specifically, wager

10   locations 290 are positioned at least partially around the peripheral of first group 240; wager

locations 292 are positioned at least partially around the peripheral of second group 260; and

wager locations 294 are positioned at least partially around the peripheral of [second] third group

2[4]80. A single group wager on the first group 240 is won when predetermined symbols or

indicia line up along the respective pay line on the first wheel 242, the second wheel 244 and the

15   third wheel 246 are combined to match a predetermined winning combination. A single group

wager on the second group 260 is won when predetermined symbols or indicia line up along the

respective pay line on the first wheel 262, the second wheel 264 and the third wheel 266 are

combined to match a predetermined winning combination. A single group wager on the third

group 280 is won when predetermined symbols or indicia 19 line up along the respective pay line

20   on the first wheel 282, the second wheel 284 and the third wheel 286 are combined to match a

predetermined winning combination.

On page 13, lines 19-22 and page 14, lines 1-2

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As seen in Figure 13, the present invention comprises an embodiment that utilizes only two wheels. In this embodiment, wheels 502 and 504 are adjacent to each other and at least one pay line is provided. Pay line 506 may be similar to pay lines 300, 302, and 304 shown in Figure 3. However, in this embodiment, only two wheels are used. Wheels 502 and 504 do not contain

5   concentric groups. Pay lines 508, 510, and 512 are symmetrical combinations of radial pay lines. Non-symmetrical combinations of radial pay lines may also be provided, such as pay line 514.

On page 15, lines 8-23

Now referring to Figure 11a, in the preferred manual form, a dealer tends the bets and

10   activates the wheels. The wheels are stopped in wheel stopping positions. The stopping positions may be determined in a number of ways that are well known in the art. For example, a computer may be provided that randomly generates numbers. When a number is generated, it [it] is compared with a wheel stopping position table that contains all of the possible stopping positions for all of the wheels. The wheels are then stopped in the positions that correspond to

15   the random number selected by the computer. Alternatively, a random number may be generated for each wheel and the stopping position of each wheel may be independently determined. The dealer then evaluates the wins based on the combination of symbols or indicia 19 and rewards the player(s) accordingly.

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On page 18, lines 17-26

     With continued reference to Figures 4 and 5, the wheel drive motors 42a, 42b, and 42c

are preferably controlled by a microprocessor circuit, contained within a circuit housing 54,

which may be of the known design that is commonly used in conventional modern gaming

5   devices. The wheel drive motors 42a, 42b, and 42c are brake gear motors of the known stepping

form which separately rotate each wheel 242, 244, and 246 through a predetermined number of

angular increments that is determined by the control circuitry and which varies during successive

games. Referring again to Figure 2, the angular increment through which each wheel 242, 244,

and 246 is traveled during each step of the rotary movement corresponds to the angular spacing

10   of the centers of successive ones of the indicia 19 about the axis of rotation of the wheels. Thus,

indicia 19 of each wheel 242, 244 and 246 are in alignment along radii of the axis of rotation

when the motors stop turning the wheels. The presence of particular indicia 19 or combinations

of indicia at a pay line at that time determines the player's winnings or score in the conventional

manner.

15

On page 19, lines 3-22

     Motor control circuits [54], which are microprocessor controlled require tracking of the

rotary movement of the indicia carrying rotatable members by the microprocessor 56. For this

purpose, tracking means 57 are provided for generating repetitive electrical signal pulses

20   including first, second and third series of pulses each of which is indicative of rotary motion of a

separate one of the wheels 242, 244 and 246. Successive pulses in each series are produced in

response to successive increments of rotary motion of the wheel 242, 244, and 246 that is being

tracked by the particular series. In a manner known to the art, this enables the microprocessor 56

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to cause stopping of rotation of the members at times when indicia are in alignment at the pay

line and, by counting the pulses, to determine which indicia are at the pay line.

On page 19, lines 12-22

5   The tracking means 57 of this example of the invention operates by photoelectric sensing

of wheel motion. Tracking [M]means 57 includes a bracket 58 that extends forward from the

front circular support plate 33, past the peripheries of each of the wheels 242, 244, and 246, and

into the front structural member 41. Bracket 58 has pairs of spaced apart tangs 59 and the tangs

of each pair extend along opposite sides of the gear teeth 31 of a separate one of wheels 242,

10   244, and 246. One tang 59 of each pair supports a small light source 61 positioned to direct light

towards a light detector 62 supported by the other tang of the pair and which is at the other side

of the gear teeth 31 of the wheels 242, 244, and 246 which extends between the pair of tangs.

The light sources 61 may be of any of a variety of types such as light emitting diodes for

example. The light detectors 62 may also be of any of a variety of different types,

15   phototransistors and photodiodes being examples.

On page 23, lines 24-26 and page 24. lines 1-7

          Figure 12 illustrates a networked system 200 of the present invention in which a single

separate display unit 202 containing a plurality of wheels may be linked to one or more game

20   devices 204. Game devices 204 may contain any of a large variety of games and game displays.

Each game device [4]204 is linked to display unit 202 by a communication device 206.

Communication device [4]206 may use many different communication protocols and systems,

such as Ethernet communication protocols, network cards, and cables.

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The following amendments to the claims are requested:

11.   The gaming apparatus of Claim 10 further comprising a first pay line extending between

5   the centers of said first group and said second group, a second pay line extending

        between the centers of said second group and said third group, and a third pay line

        extending between the centers of said third group and said first group. [[take out group]]

13.   The gaming apparatus of Claim 9 further comprising a payline that incorporates all [nine

10   of said] the wheels.

17.   A method of playing a game of chance, comprising the steps of:

        (A.)   placing a position bet;

        (B.)   spinning at least two groups of concentric wheels having indicia [formed

15   thereon]on a viewable annular surface, each of said group having at least two

                wheels therein;

        (C.)   stopping, randomly, said spinning wheels;

        (D.)   evaluating aligned indicia at predetermined locations to determine winnings based

                on preselected combinations and pay ratios; and

20   (E.)   paying said winnings.

18.   A gaming apparatus for playing a game of chance, comprising:

        (A.)   a plurality of concentric and rotatable wheels, each having a viewable annular

                surface, further comprising a first viewable surface identified as an inner most

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viewable [most viewable] surface and a second viewable surface identified as an

outer most viewable surface;

(B.)   indicia located on each said view[ ]able annular surface; and

(C.)   at least one pay line defined from the inner most surface to the outermost service.

5

22.   The game apparatus of claim 21 wherein said wheels are displayed via [an electronic] a

video display device.

10